



DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary
Office of the General Counsel

Public Health Division
Room 4A-53 Parklawn Bldg.
5600 Fishers Lane
Rockville, MD 20857
(301) 443-2644
FAX: (301) 443-2639

March 12, 2009

VIA ECFS

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Dear Ms. Dortch:

Re: In the Matter of *The United States Department of Health and Human Services Substance Abuse and Mental Health Services Administration Petition for Permanent Reassignment of Three Toll Free Suicide Prevention Hotline Numbers*, in Toll Free Service Access Codes, CC Docket No. 95-155, CC Docket No. 07-271

The United States Department of Health and Human Services' (HHS) Substance Abuse and Mental Health Services Administration (SAMHSA) writes to respond to the statements made by the Kristin Brooks Hope Center (KBHC) in the letter dated December 10, 2008, and the accompanying Declaration by Pope Simmons. In order to clarify the record, we are submitting the attached Declaration by Dr. Eric Broderick, Acting Administrator of SAMHSA. Dr. Broderick states that the sole interaction that has taken place between himself and a representative of KBHC occurred at a social event on November 17, 2008. Dr. Broderick states further that there have been no contacts between his office, or any other senior staff at SAMHSA, and KBHC that could be characterized as "ongoing settlement discussions."

Sincerely,

Rina Hakimian
Senior Attorney

Attachment

cc: Julie Veach
Randy Clarke
Ann Stevens
Heather Hendrickson
Michelle Sclater

**BEFORE THE FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554**

In the Matter of)

Substance Abuse and Mental Health Services)

Administration)

Petition for Permanent Reassignment of Three Toll Free)

Suicide Prevention Hotline Numbers)

Toll Free Service Access Codes)

CC Docket No. 95-155

CC Docket No. 07-271

To: The Commission

DECLARATION OF ERIC BRODERICK

1. My name is Eric Broderick and I am currently the Acting Administrator for the Substance Abuse and Mental Health Services Administration (SAMHSA), of the U.S. Department of Health and Human Services (HHS). As the Acting Administrator, I am responsible for supporting and overseeing all of the activities necessary to carry out SAMHSA's mission to build resilience and facilitate recovery for people with or at risk for substance abuse and mental illness.
2. I make this Declaration based on personal knowledge, unless otherwise indicated.

3. I have read the letter dated December 10, 2008 submitted to the Federal Communications Commission (Commission) in the above-referenced docket. I have also read the Declaration of Pope M. Simmons that was submitted as an attachment to the December 10, 2008 letter.
4. This is to clarify that the first and only time that I have met Pope Simmons as of the date of this Declaration was on November 17, 2008 at the reception sponsored by the American Counseling Association for the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008. This event took place at 101 Constitution Avenue, Washington, DC. On that occasion, Mr. Simmons introduced himself to me and we engaged in a casual conversation that lasted approximately two minutes.
5. Other than the brief introduction that took place at the reception for the Mental Health Parity Act (described in paragraph #4), I have not met Mr. Simmons.
6. I am not aware of any discussions that could be characterized as settlement discussions that have taken place between myself and any representative of KBHC in the past two years.
7. I am not aware of any discussions that could be characterized as settlement discussions that have taken place between any senior staff member of SAMHSA and any representative of KBHC in the past two years.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and information and belief.

Eric Broderick

March 12, 2009

Eric Broderick